

The Hilo Tribune.

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PUBLISHED EVERY FRIDAY.

L. W. HAWORTH - Editor.

REPUBLICAN TICKET FOR DELEGATE TO CONGRESS Jonah Kalaniano'le.

For Senators—

STEPHEN L. DESHA,
J. D. PARIS.

For Representatives—

J. M. KAUWILA,
J. D. LEWIS,
G. W. PATY,
J. PRITCHARD.

WHO MISAPPROPRIATED?

When Acting Governor H. E. Cooper, in the summer of 1901, ordered the Chinese fund of upwards of \$200,000, transferred from the First National Bank to the vaults of the Territorial Treasury he was guilty of appropriating money to improper uses. He was guilty of applying money that belonged to Chinese residents of this Territory, to the payment of public obligations and the running expenses of this Territory, without warrant of law or justification in equity.

It was an act affording just grounds for his impeachment and removal from office.

Had Acting Governor Cooper found a purse on the sidewalk, containing \$10,000 and the name and address of the owner, and had he turned the contents of this purse into the Territorial Treasury for the purpose of paying public expenses, his act would have had as much legal and moral justification as the one he committed.

At the time Acting Governor Cooper ordered the transfer of this fund, it was supposed to amount to \$216,000. As a result of his order something over \$161,000 went into the Treasury. Of this there now remains but a little over \$11,000. Treasurer Wright had as much right to spend the whole fund for his own use as the Territory had to use it for the public business. A Territory or a State through headstrong and unprincipled officers may commit greater wrongs and crimes than an individual. Wright's offense is a bagatelle compared to that of the Acting Governor.

The Chinese fund grew out of the Immigration laws of the Republic. Under a penalty, each plantation was required to deduct from the wages of Chinese \$1.50 per month, the same to be deposited with the Postal Savings Bank. Each laborer thus had a credit, which at the expiration of this contract was available for the purchase of a ticket back to China. Any surplus over the price of the ticket was to be repaid to the laborer from whose wages it had been deducted. This law resulted in the accumulation of a fund of many thousands of dollars.

The Organic Act specifically repealed the Immigration laws of the Republic. It also destroyed the Postal Savings Bank. The affairs of the Postal Savings Bank were settled properly with the exception of the Chinese depositors. They were as much entitled to the return of their deposits as any other patrons of the institution.

They were not reimbursed. The aggregate of their deposits made up a fund of nearly a quarter of a million. The Acting Governor could not keep his hands off this glittering pile. It has been wrongfully misappropriated and dissipated in the payment of government bills, with the exception of \$29,591.71. Of this, Treasurer Wright is said to have absconded with \$17,949.91, leaving \$11,601.50 in the Treasury.

Upon analysis, the crime against the Territory vanishes. The real crime consists in the deprivation of a few thousand Chinese of money justly belonging to them. The Territory as the fiduciary guardian of all who toil within its borders, should have administered this fund with credit to itself and justice to

the owners of the coin. To have dissipated the fund in building roads or paying salaries was to invite the slight kick from Retributive Justice, in the form of an absconding Treasurer.

MONUMENTAL FOLLY.

Thomas Fitch in his testimony before the Senatorial Commission was the only witness to refer to the monumental folly of Governor Dole and Secretary Cooper in connection with the Chinese trust fund. Mr. Fitch said to the Senators:

"With some reluctance I offer a word of criticism concerning the action of Secretary Cooper and Governor Dole. Both are lawyers, both have been judges and both are gentlemen of well deserved reputations for probity. Both know the sacredness of a trust fund and especially of a fund in which a portion of the scanty earnings of poor and helpless aliens have been deposited in order to enable them when their term of service should expire, to be returned to their native land. How it was that Secretary Cooper found it consistent with his legal knowledge, and his business acumen, to take a trust fund of \$160,000 from the safe custody of a National Bank and place it in the hands of an official who gave no bonds, I cannot comprehend, and it is still more incomprehensible that Governor Dole should have permitted this trust fund to be used for ordinary public expenditures, and allowed unavailable Treasury warrants to be substituted for gold coin."

DOLE FLOUNDERS.

With the Senatorial Commission on his hands and an eruption in various departments, Governor Dole has talked for publication more during the month of September than during all the rest of his term as Governor. What he has said has not added to his halo.

He has told us that he is not certain but that it would be a good thing to require the Treasurer of the Territory to give bonds. With the naivete of a schoolgirl, he states that he understands this to be the custom in other communities.

He makes it clear that he is in no way responsible for his appointments. Had it not been for the recommendations of the Hon. S. M. Damon and the recommendations of Home Rule politicians, he would have had a model cabinet about him. So says the Governor and his apologists.

All of which is taking the long road to say that Governor Dole's official record is a record of weak kneed compromise, vacillation and neglect of the business side of his duties.

Governor Dole cannot be held responsible for the dishonesty of subordinates. Neither can he shift his appointive responsibility upon friends who made recommendations.

SYSTEM IS BAD.

The avalanche of official malfeasance that has come to light in Honolulu, while deplorable, is not cause for despair. The proportion of honest men in Hawaii is as high as elsewhere. The people here are as capable of self government as they were before the speculations at the Capitol building were discovered. A businesslike system with businesslike men in control is as necessary here as it is at Washington or any other capitol where public business is hedged about by modern laws and regulations. Administrative officials in Hawaii have always had too much latitude. Here a disbursing officer requires as much "discretion" as a Supreme Judge. A Sheriff by his duties, is compelled to be part executive, part legislative and part judicial, part lawyer and expert accountant. The miracle of all is that the ramshackle system has not landed every public official on the "reef" before this.

If the Chinese depositors in the Postal Savings Bank had been paid back their money as other depositors were, the record of the present Territorial administration would have been better to look upon.

CUPID WILL WIN.

A gentleman competent to judge of public opinion on this island returned last Saturday from a trip through Hamakua. He gives it as his belief that Prince Cupid will carry this island by a safe majority. He finds on inquiry among the Hawaiians that they are more than willing to drop Wilcox for Prince Cupid. In notorious Home Rule strongholds the sentiment in favor of Wilcox is noticeably on the decline. The bets on this island are in the Prince's favor.

The passage of the Organic Act annulled the Immigration laws. Hence, since June 14, 1900, any disposition made of the Chinese fund or any portion thereof, not in accord with the plan of winding up the affairs of the Postal Savings Bank was wrong and without warrant of law.

Henderson Refuses Renomination.

Dubuque (Ia.), September 16.—Speaker Henderson, finding that his views in opposition to the treatment of trusts by reducing the tariff in whole or in part are not in accord with the views of many of his party in Iowa, today declined to accept the nomination for Congress and has withdrawn from the race.

BY AUTHORITY.

SEALED TENDERS.

Sealed tenders will be received by the Superintendent of Public Works until 12 m. of FRIDAY, the 31st day of October, 1902, for furnishing and erecting two steel bridges in the city of Hilo, Island of Hawaii, Territory of Hawaii. One over Waiakaa river, 100 foot span, pin centers. One over Wailuku river, 170 foot span, pin centers: both bridges, 20 foot roadway and two (2) four foot sidewalks.

LOADING.

Bridges to be proportioned for 12 ton steam road roller, ten foot wheel base. Balance of roadway and sidewalks, 100 pounds per square foot.

FLOOR SYSTEM.

Steel floor beams and wooden stringers and wooden flooring. Bridge to be so proportioned and detailed that steel stringers, buckle plates and concrete and bitumen floor system may be substituted for wooden stringers and floor.

Steel hand rail on sidewalks. All to be in conformity with Cooper's specifications.

Contractor will submit with proposal, strain sheets, showing strains and sizes of each member, with plan and details; shop drawings to be approved by Superintendent of Public Works.

Contractors will state in their proposals:

1st. The sum for which they will furnish each structure upon the site ready for erection.

2nd. The sum for which they will erect each bridge ready for travel.

3d. Contractors will state on proposals, the time for delivery of each bridge at site; also time required to erect bridge ready for travel.

Piers and abutments will be erected by the Department of Public Works.

Bridge sites are within one (1) mile of Government Wharf, Hilo Harbor.

The Superintendent of Public Works reserves the right to reject any or all bids. Contract to remove old structures.

JAMES H. BOYD,

Superintendent of Public Works.

The time for receiving bids for bridges, Waiakaa and Wailuku rivers, Hilo, has been extended to November 28, 1902.

JAMES H. BOYD,

Superintendent of Public Works.

Notice to Creditors.

Notice is hereby given that the undersigned has been appointed administrator of the Estate of JACINTHO FARIAS, deceased.

All creditors of said deceased are hereby notified to present their claims, duly verified with proper vouchers, if any they have, to the undersigned, or to Ridgway & Ridgway, his attorneys, at their office in Hilo, Hawaii, within six months from and after the date of the first publication of this notice, or such claims will be forever barred.

R. K. BAPTISTE,

Hilo, Hawaii, Oct. 2, 1902.

RIDGWAY & RIDGWAY,

Attorneys for Administrator. 48-4

LEGAL NOTICES.

In the Circuit Court of the Fourth Circuit, Island and Territory of Hawaii.

AT CHAMBERS.

Order for Special Term.

Deeming it essential to the promotion of justice, I do order that a Special Term of the Circuit Court of the Fourth Circuit be held in the Court House in Hilo, commencing on Friday, Oct 3d, A. D. 1902, at 10 o'clock in the forenoon of said day and continuing from day to day and from time to time for the period provided by law, unless sooner adjourned sine die.

By order of the Court.

Done at Chambers this 24th day of September, A. D. 1902.

(Signed) GILBERT F. LITTLE,

Judge.

The foregoing order is hereby approved.

(Sign) W. F. FERRAR,

Chief Justice of the Supreme Court,

Territory of Hawaii.

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SPECIAL ATTENTION given to Examinations, Valuations, and Reports of properties for investment purposes.

FREDERICK J. AMWEC, M. Am. Soc. C. E., Engineer and Manager.
W. R. CASTLE, JR., Secretary and Treasurer.
P. O. Box 537.

In the Circuit Court of the Fourth Circuit Territory of Hawaii.

IN PROBATE—AT CHAMBERS.

In the matter of the Estate of EDWARD N. HITCHCOCK, of Hilo, Hawaii, deceased.

The petition and accounts of the Administratrix of the Estate of said deceased, having been filed wherein she asks that her accounts be examined and approved, and that a final order be made of distribution of the property remaining in her hands to the persons thereto entitled, and discharging her from all further responsibility as such administratrix.

It is ordered that Monday the 27th day of October, A. D. 1902, at 9 o'clock a. m., at Chambers, in the Court House at South Hilo, Hawaii, be and the same is hereby appointed as the time and place for hearing said petition and accounts, and that all persons interested may then and there appear and show cause, if any they have, why the same should not be granted.

Hilo, Hawaii, October 2, 1902.

By the Court:

DANIEL PORTER, Clerk.

SMITH & PARSONS,

Attorneys for Petitioner. 48-3

L. SEVERANCE

AUCTIONEER

Agent for J. D. Speckles & Bros., Hilo.

Collecting rents for Waiakaa Mill Co.

to grant marriage licenses

School agent, South Hilo.

Room 1, up stairs over L. Turner's

Leave orders at Hilo Drug Co., Ltd.

Notice of Sale.

Notice is hereby given that the undersigned, administrator of the estate of F. H. Kaapa, deceased, in conformance with an order of Court, will sell at public auction, at noon on Saturday, October 4, 1902, at the front door of the Court House, in Hilo, the following described real estate:

All that piece or parcel of land situated at Kukuau, in South Hilo, Island and Territory of Hawaii, and more particularly described as follows:

Commencing at a point on Alenaio St., south from Kukuau St., on the mauka side of said Alenaio St. and 66 feet from intersection of Kukuau and Alenaio streets and running along Alenaio St., S. 41 deg. E. 125 feet to line of Kukuau St., thence mauka along said line S. 30 deg. 27 min., W. 172 feet, thence N. 41 deg. W. 152 feet, thence N. 39 deg. E. 165 feet to commencement containing an area of one-half acre, more or less.

Together with all the tenements, hereditaments and appurtenances thereto belonging.

Terms, Cash, Gold Coin of the United States. TAMAR KAAPA,

Administratrix Estate of F. Kaapa.

LEBLOND & SMITH,

Attorneys for Administratrix. 46-3

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try our BELLE OF NELSON. It is the

finest in town.—W. C. PEACOCK & CO.

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